

BELDOCK LEVINE & HOFFMAN LLP
99 PARK AVENUE, PH/26TH FLOOR
NEW YORK, N.Y. 10016

CYNTHIA ROLLINGS
JONATHAN MOORE
JONATHAN K. POLLACK
HENRY A. DLUGACZ
STEPHEN J. BLUMERT
MARC A. CANNAN
DAVID B. RANKIN
LUNA DROUBI
MYRON BELDOCK (1929-2016)
LAWRENCE S. LEVINE (1934-2004)
ELLIOT L. HOFFMAN (1929-2016)

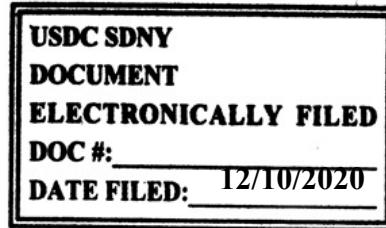
TEL: (212) 490-0400
FAX: (212) 277-5880
WEBSITE: blhny.com

COUNSEL
BRUCE E. TRAUNER
PETER S. MATORIN
KAREN L. DIPPOLD
JEFFREY A. GREENBERG
MARJORIE D. FIELDS
EMILY JANE GOODMAN
(JUSTICE, NYS SUPREME COURT, RET.)
FRANK HANDELMAN

REF:
9000.2300

WRITER'S DIRECT DIAL:
212-277-5875

December 9, 2020



VIA ECF

Honorable Katharine H. Parker
United States District Court
Southern District of New York
500 Pearl St.
New York, NY 10007

MEMO ENDORSED

Re: *Elsayed et al. v. City of New York et al.*, 18-cv-10566 (AT) (KHP)
[rel. 18-cv-2334]

Judge Parker:

We represent Plaintiffs in the above-referenced action. We submit this letter-motion pursuant to the Court's Individual Rule I.f. to request an adjournment of the telephonic Settlement Status conference scheduled with the Court and the Parties for Tuesday, December 15, 2020 at 3:00 p.m., (Dkt. No. 74), in order for the Parties to finalize the Individual Plaintiffs' stipulation of settlement and negotiate resolution of Plaintiffs' attorneys' fees. The Court granted Defendants' first request for an adjournment of the September 23, 2020 settlement conference regarding the Individual Plaintiffs' settlement and attorneys' fees, to which Plaintiffs consented. (*Id.*). Defendants consent to this request.

Defendants provided Plaintiffs with a draft stipulation of settlement for the Individual Plaintiffs on October 14, 2020. On November 5, 2020, the Court so ordered the Stipulation and Order of Settlement as to *Elsayed* and *Clark* Plaintiffs' injunctive claims. (Dkt. No. 78). Pursuant to paragraph 12 the Stipulation and Order of Settlement, "[t]he parties agree that Plaintiffs' Counsel in the *Clark* and *Elsayed* cases are entitled to 'reasonable attorneys' fees' under 42 U.S.C. § 1988 stemming from work done through the Effective Date [November 5, 2020]. The parties shall memorialize an agreement with respect to Plaintiffs' Counsel's attorneys' fees for work done through the Effective Date in a separate agreement." Plaintiffs' Counsel are finalizing review of

BELDOCK LEVINE & HOFFMAN LLP

Hon. Katharine H. Parker
December 9, 2020
Page 2

Defendants' draft stipulation of settlement for the Individual Plaintiffs and will be sending billing records through the Effective Date to Defendants.

We respectfully request a 45-day adjournment of the scheduled settlement conference, or a date on or about January 28, 2021, to allow Defendants to review Plaintiffs' billing records and for the Parties to determine whether they can resolve settlement as to attorneys' fees and the Individual Plaintiffs without the Court's intervention.

We appreciate the Court's attention to this matter.

Respectfully Submitted,



Luna Droubi

cc: All Parties (via ECF)

APPLICATION GRANTED: The telephonic settlement conference in this matter currently scheduled for Tuesday, December 15, 2020 at 3:00 p.m. is rescheduled to Wednesday, January 27, 2021 at 2:00 p.m. Counsel is directed to call Judge Parker's teleconference line at the scheduled time. Please dial (866) 434-5269, Access code: 4858267.

APPLICATION GRANTED



Hon. Katharine H. Parker, U.S.M.J.

12/10/2020